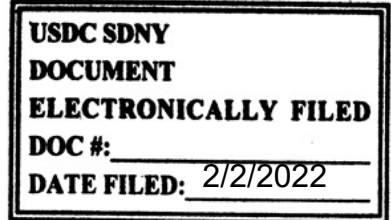


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
MECO ELECTRIC CO., INC.,	:	21-CV-9166 (GHW) (RWL)
	:	
Plaintiff,	:	
	:	
- against -	:	ORDER
SIEMENS INDUSTRY, INC.,	:	
	:	
Defendant.	:	
-----X	:	



ROBERT W. LEHRBURGER, United States Magistrate Judge.

This case has been referred to me for general pretrial purposes as well as report and recommendation on dispositive motions. (Dkt. 6.) Defendant has filed a letter seeking to file a motion to dismiss for failure to state a claim. (Dkt. 8.) Accordingly, by February 14, 2022, Plaintiff may file an amended complaint to redress issues raised by Defendant, provided there is a good faith basis to do so. If Plaintiff does not file an amended complaint, then Defendant shall file its motion to dismiss by February 28, 2022; Plaintiff shall respond by March 28, 2022; and Defendant shall reply by April 11, 2022. If Plaintiff does timely file an amended complaint, then by February 28, 2022, Defendant shall file a letter stating whether it intends to (i) answer the amended complaint; or (ii) move to dismiss, in which case Defendant shall file its motion by March 14, 2022; Plaintiff shall respond by April 11, 2022; and Defendant shall reply by April 25, 2022.

If Plaintiff does not file an amended complaint and the Court finds that the motion to dismiss should be granted, then the Court may not grant permission to amend.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 2, 2022
New York, New York

Copies transmitted this date to all counsel of record.